

North Smithfield Zoning Board of Review
March 11, 2014, 7:00pm
Kendall Dean School
83 Green St., Slatersville, RI

The Chair called the meeting to order at 7:05 pm.

1. Roll Call

Present: Chair William Juhr, Vice Chair Steve Scarpelli, Scott Martin, Mario DiNunzio, Paul Pasquariello. Absent: from Roll Call was Vincent Marcantonio. Also present was Assistant Town Solicitor Stephen Archambault and Building and Zoning Official Robert Benoit.

2. Mr. Juhr made disclosure of no compensation or pension credits are received by the board members.

3. Approval of minutes, February 11, 2014.

Mr. Martin made a motion to approve the minutes of February 11, 2014. Mr. Scarpelli seconded the motion, with all in favor.

Vincent Marcantonio arrived at 7:08 p.m.

4. Continuation of the application by NextSun Energy LLC, together with Sam Man Realty Corp., land owner, requesting to install a “Renewable Energy Solar Field” located at 582 Great Road, Plat 5, Lot 479. This property is located in the Manufacturing Zoning District. Section 5.4.9 SubSection 7 of the Ordinance requires the granting of a Special Use Permit by the Zoning Board of Review for this proposal.

Mr. Juhr stated at the prior hearing it was discovered the application had the wrong lot number – Plat 5 Lot 64. It should be Lot 479 and most of the documents reflected Plat 5 Lot 479. This was re-advertised and sent to the abutters again.

Mr. Juhr reviewed the Exhibits:

P1) North Smithfield Zoning Board of Review Hearing Notice, has the correct information and on the website, no date. In the future list the date on the document.

P2) The correct Application which is presently not completely filled out by the Zoning Official with the standard information taxes, application number, fee and also comments are not filled out. The second page Special Use Permit is blank. The third page is blank and only has Lot 479 and needs to be signed by the Zoning Official. Mr. Juhr said this will need to be resubmitted on the day of the written decision. Mr. Benoit said he has the application all filled out with Plat 5 Lot 479 – it was done originally with Plat 5 Lot 64; however, the resubmitted the application and put the corrected lot number. Mr. Juhr said Mr. Benoit didn’t review the information – he

scrutinized, deliberated and reviewed the information for Lot 64 and during that time didn't discover it was really Lot 479. It came before the Board and all that time was wasted so now with the blank application it is questioned whether the Zoning Official really reviewed application with L 479 and it went through the mail 5 times that way. Mr. Archambault said for housekeeping purposes his recommendation was to accept the completed application as P2. The application was accepted as Application No 2013-53, Plat 5 Lot 479 in a Manufacturing District dated 2/14/14 which is not the date it was signed by Building Official it should have today's date on the application.

P3) Site Plan Set for Proposed Renewable Energy Installation Plat Map 5, Lot 479 Zoning District – M (Manufacturing), 590 Great Road, Branch River Commerce Park, North Smithfield, RI, December 2013 no revisions, Steven M. Cabral engineering stamp signed on 12-10-13, 8 pages.

P4) Part of P3) Page C3, Abutters List on Site Plan used for both advertisements December 2013 no revisions

P5) Planning Board Minutes from January 16, 2014, Town of North Smithfield, Section 6 Site Plan Review: NextSun Preliminary Plan, Owner/Applicant: NextSun, Location: 590 Great Rd, Assessor's Plat 5, Lot 479 Zoning: M (Manufacturing) Proposed solar PV array adjacent to the Brickle manufacturing complex.

P6) Letter to Mr. Ericson from Crossman Engineering dated January 8, 2013 drainage at the site. This was provided by the Town Planner at the last meeting.

P7) Letter from NextSun Energy dated December 10, 2013 request for Town to consider Special Use Permit.

P8) Certified Mail RIDOT

Mr. Benoit stated that National Grid submitted a letter and their concern was to have a 250' right of way and want to make sure this proposal does not interfere.

A motion was made to deliberate for 5 minutes to review the letter by Mr. Martin, seconded by Mr. DiNunzio with all in favor. The meeting deliberated at 7:25 p.m. The meeting was back in session at 7:30 p.m.

A)1 National Grid letter to Mr. Benoit, dated March 11, 2014 signed by Michael D. DiNezza and cc Megan F.S. Tipper.

Jacob Laskin was sworn in by the stenographer. Amelia Tracy was in attendance and sworn in at the last meeting. Mr. Laskin said he spoke with Mr. DiNezza and the concern was a 270' right of way which is shown on the plan. His concern was with the wetland mitigation pond which is a separate project. Mr. DiNezza is no longer concerned about the issue. The ponds are outside the right of way.

At the last meeting, there was a presentation with questions on how the plans split up as two projects on one plan. Mr. Juhr stated there was confusion because they had the wrong lot number on the application. Mr. Martin asked about the area they were putting the panels, which is flat and where it drains today it will drain tomorrow. Mr. Laskin said there will be no grading and nothing toxic. Mr. Juhr said he had concerns about reflection but at the last meeting Mr. Chin

stated there would be no reflection. Mr. Laskin said it is made to absorb light not reflect. The panels have the same anti-reflective coating as airport panels.

There was no public comment.

Mr. Juhr closed the public hearing for NextSun Energy for a Special Use Permit at 7:35 p.m. and open for the board's discussion. No discussion.

A motion was made by Paul Pasquariello, seconded by Scott Martin, to approve the project. Roll call vote was as follows: YES: Mr. Juhr, Mr. Scarpelli, Mr. Pasquariello, Mr. Martin, and Mr. DiNunzio. Motion passed, with 5-0.

5. Mr. Scarpelli made a motion to adjourn at 7:40 p.m. Mr. Martin seconded the motion, with all in favor.

Submitted by Diane Agostini